Interview

Applicants' undersigned representative thanks Examiner Nguyen for the courtesies extended during the interview of April 15, 2008. During the interview, the Sanuki reference was discussed. Applicants' representative pointed out that the embodiments of FIGS. 5 and 7 of the Sunaki reference include recesses in the active regions, and proposed submitting claims distinguishing from these recessed active regions. The Examiner did not commit to allowing the claims at the interview, but indicated that further consideration the references and/or further search was required before a final decision is made.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1, 6-7 and 21-23 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,019,380 ("Sanuki"), for the reasons provided at pages 2 to 5 of the outstanding Office Action. Applicants respectfully traverse the rejection.

Claims 1 has been amended to recite "wherein a long dimension of the at least one stress adjustor is placed parallel to a flow of current through said MOS transistors and is substantially equal to a gate length of said MOS transistor, the stress adjustor being positioned proximate a channel region of the MOS transistor". Written description support for this amendment can be found throughout the specification and claims as originally filed. For example, support can be found at page 14, paragraph [0032] and FIG. 2A.

The Sanuki reference fails to teach the above cited new element of amended claim 1. Instead, Sanuki teaches element active regions 23 and 25 which are shown in

FIGS. 5 and 7 to run the entire length and width of the active region. Thus, a stress adjuster having the claimed length and positioned proximate a channel region of the MOS transistor is not taught or suggested.

The Examiner has argued, with respect to cancelled claim 23, that it would have been obvious to optimize the lengths of the element regions of Sanuki to arrive at applicant's length. However, the text of Sanuki provides little or no suggestion to modify the lengths of the element region. Nor does Sanuki teach that the lengths of the element regions are result-effective variables for optimization. Rather, Sanuki teaches that the distance 1f of FIG. 5 should be shorter than the distance 1e in order to provide the desired stress on corner element region 20c of FIG. 5; and that similar principles apply to provide the desired stress on corner regions 20d, 20e and 20f of the active. Because the length 1f is determined by positioning element region 23 proximate region 20c, these teachings imply that at least element region 23 should extend the entire width 1b of the active region. Sanuki, column 5, lines 44 to 56 and FIG. 5.

For at least these reasons, the teachings of Sanuki do not support the Examiner's position that it would have been obvious to optimize the lengths of Sanuki's element regions in order to arrive at applicants claimed length of "substantially equal to a gate length" of the MOS transistor. If anything, the teachings of Sanuki teach away from such optimization by suggesting that element regions should be formed proximate the corners regions 20c, 20d, 20e and 20f, which implies that some, if not all, of the element regions should extend the length or width of the active region so as to be proximate the corner regions. Because, Sanuki fails to teach or suggest every limitation

of the claims, no *prima facie* case of obviousness has been made, and the rejection should be withdrawn.

New Claims

New claims 24-29 have been added. Applicants request examination of these claims and assert that they are allowable over the prior art of record. Written description support for these claims can be found throughout the specification and claims, as originally filed. Accordingly, no new matter has been added.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

If after consideration of this Amendment there are any outstanding issues the Examiner believes could be resolved by a telephonic interview, the Examiner is invited to call Applicants' undersigned representative at 703-917-0000, ext. 103, in order to expedite resolution of the issues and allowance of the application.

Please grant any extensions of time required to enter this response and charge any additional required fees to Texas Instruments' Deposit Account 20-0668.

Respectfully submitted,

Dated: April 25, 2008

By: _____

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